

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of David A. ARIAS

Examiner: Miller, Bena B.

Serial No.: 10/817,293

Art Unit: 3725

Filed: April 2, 2004

Confirmation No.: 2303

For: **AQUATIC TOYS**

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401 Dulany Street  
Alexandria, VA 22314

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

A statement of reasons for allowance was set forth in the Notice of Allowance mailed on March 7, 2007 in connection with the above-identified application.

While the Applicant agrees that the pending claims are allowable for at least the reasons set forth in the Examiner's statement, the Applicant submits that the invention as recited by the claims and as described in the present application is patentable over the art of record for reasons in addition to those listed in the Examiner's statement. For example, Applicant notes that the Examiner's statement paraphrases elements of some of the claims. Applicant also notes that the language of the claims as allowed defines the invention and the language in the Examiner's statement should not be construed as limiting the claims in any manner. Moreover, the claims contain recitations in addition to those stated by the Examiner that provide additional bases for patentability over the art of record. Accordingly, the Applicant reserves the right to pursue claims of different scope than those in the present application. For example, such claims may not necessarily need

to include the elements identified in the Examiner's Statement of Reasons for Allowance  
in the present application.

This statement commenting on the reasons for allowance is timely submitted.

Dated: June 6, 2007

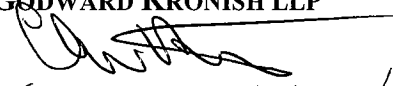
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326109 v1/RE

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